

MEMO ENDORSED

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October 21, 2021

Hon. Valerie E. Caproni
U.S. Courthouse
40 Foley Square
New York, NY 10007

Re: *DiTomaso v. U.S.*, 21 Cv 7704 (VEC) {habeas petition}
U.S. v. DiTomaso, 14 Cr 160 (VEC){criminal docket}

Dear Judge Caproni:

Pursuant to Your Honor's Order dated September 13, 2021, issued in the above reference matter, I was appointed as counsel for Mr. DiTomaso in his habeas proceeding. The Order sets a briefing schedule where a supplemental brief (in further support of Mr. DiTomaso's pro se habeas petition) is due on October 29, 2021. The Order indicates I may request an extension of this deadline.

Following my appointment, I have been reviewing the record. The record is comprehensive as it involved a trial, post-trial motion practice and an appeal. I have also been conferring and corresponding with Mr. DiTomaso. At this point, I seek additional time to prepare the supplemental brief. Accordingly, I respectfully request the Order's briefing schedule be modified by approximately 45 days as follows:

Supplemental brief due December 13, 2021
Government response due January 10, 2021
Reply due January 18, 2021

I have conferred with the Government and they do not object to this request.

Respectfully submitted,
/s/
Jeffrey G. Pittell

cc: Frank DiTomaso
Kimberly Ravener, AUSA

Application GRANTED.

SO ORDERED.


10/22/21

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE